

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JOHN F. CHAMPAGNE,

Plaintiff,

No. C 06-05425 JSW

v.

CITY AND COUNTY OF SAN FRANCISCO,
et al.,

Defendants.

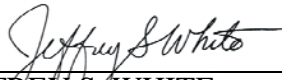
**ORDER RE DEFENDANTS'
ADMINISTRATIVE MOTION TO
PERMIT EARLY FILING OF
MOTION FOR SUMMARY
JUDGMENT**

This matter comes before the Court upon the administrative motion filed by Defendants for leave to file an early motion for summary judgment on the issue of qualified immunity. At the case management conference on September 7, 2007, this Court set June 20, 2008 as the last date upon which motions for summary judgment would be heard in this matter. Parties may file motions in advance of that date, provided that they set the hearing on a date that is available on this Court's calendar. However, under the Court's standing orders, each party is entitled to only **one** summary judgment motion, absent the demonstration of good cause that more than one motion is necessary. Therefore, should Defendants opt to move early on the issue of qualified immunity, absent a showing of good cause, they will not be permitted to file another motion for summary judgment at a later date in the case. In addition, should Plaintiffs contend that discovery is on-going and the record is not fully developed on the issue of qualified immunity (or any other issue presented early on in this matter), Plaintiffs may object to the motion pursuant to Federal Rule of Civil Procedure 56(f) and the Court will examine the status of discovery in determining whether or not to grant an early-filed summary judgment motion.

1 Accordingly, Defendants may file a motion for summary judgment at a time of their
2 choosing, but must set the hearing no later June 20, 2008, and the Court will determine whether
3 such a motion is proper based on the procedural posture of the case and whether any further
4 dispositive motions are appropriate, with the guiding assumption that they are not.

5
6 **IT IS SO ORDERED.**

7 Dated: October 22, 2007



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE